

FILED

IN THE UNITED STATES DISTRICT COURT FOR

MAR 31 2015

THE WESTERN DISTRICT OF OKLAHOMA

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY WRS DEPUTY

CYNTHIA M. RICHARDSON EL HABTI,)

Plaintiff,)

vs.)

No. CIV-13-1147-W

CAROLYN W. COLVIN, Acting)
Commissioner of the Social Security)
Administration,)

Defendant.)

ORDER

On March 16, 2015, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation in this matter and recommended that the decision of Carolyn W. Colvin, Acting Commissioner of Social Security ("Commissioner"), denying the Applications for Disability Insurance Benefits and Supplemental Security Income filed by plaintiff Cynthia M. Richardson El Habti be reversed. Magistrate Judge Goodwin further recommended that this matter be remanded to the Commissioner for additional administrative proceedings. The parties were advised of their right to object to Magistrate Judge Goodwin's Report and Recommendation, but no objections have been filed within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Goodwin's determination that reversal and remand of this matter is warranted. The Administrative Law Judge erred in his assessment of El Habti's residual functional capacity because his

finding that El Habti retained the capacity to perform the standing requirements of light work is not supported by substantial evidence.¹

Accordingly, the Court

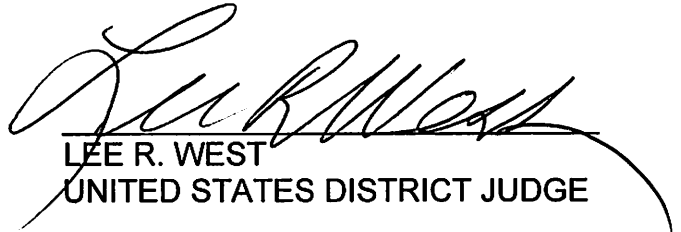
(1) ADOPTS the Report and Recommendation [Doc. 16] issued on March 16, 2015;

(2) REVERSES the Commissioner's decision denying El Habti's Applications for Disability Insurance Benefits and Supplemental Security Income;

(3) REMANDS this matter to the Commissioner pursuant to sentence four of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), for further administrative proceedings in accordance with this Order and consistent with Magistrate Judge Goodwin's Report and Recommendation; and

(4) ORDERS that judgment pursuant to this Order issue forthwith.

ENTERED this 31st day of March, 2015.


LEE R. WEST
UNITED STATES DISTRICT JUDGE

¹Having determined that remand is warranted for this reason, the Court has not considered El Habti's other claims of error. E.g., Watkins v. Barnhart, 350 F.3d 1297, 1299 (10th Cir. 2003) (court need not reach remaining issues raised by appellant because issues may be affected by Administrative Law Judge's treatment of case on remand).